



PICKERING INSURANCE SERVICES — Employee Benefit Broker / Consultants

CA License #0596507

1011 S. Santa Fe Ave., Suite K, Vista, California 92083-6919

North County (760) 758-9800 / 1-800-858-1207 Fax (760) 758-9926

www.pickeringinsurance.com • Email: pickins@pickeringinsurance.com

Fax transmission

Date: 17 March 00

To: Len K.

Company: Lassen

Phone:

Fax #: (949) 477-6505

From:

Polly

RE:

Number of Pages including the cover page: 2

Per your request, following
is the letter to GWL requesting
plan changes. Please copy onto
your letterhead, sign and
fax back to me. Call w/any
questions!

Polly

300139

The information contained in this facsimile message is intended only for the use of the addressee, if you are not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone for instructions regarding its return.

17 March 2000

Mark Ravenscroft
GREAT WEST LIFE
9255 Towne Centre Dr.
Suite #925
San Diego, Ca 92121

RE: GRP.# 357312 - THE LASSEN COMPANIES, INC.

Dear Mark:

Please consider this letter as a formal request to amend our above referenced group plan as follows:

PPO:

\$20 Office Visit Copay

\$500 Deductible

80% In Network / 60 % Non-Network

HMO:

\$20 Office Visit Copay

\$500 / Day Hospital Copay (5 Day Maximum)

\$500 Outpatient Surgery Copay

70 % Non-Approved Services Coinsurance

Please make these plan changes effective APRIL 1, 2000. Should you have any questions, please contact my Broker Randy Pickering at (760)758-9800.

Best regards,

Leonard Kristal
CEO

LDK:pj

Cc: Randy Pickering - PICKERING INSURANCE SERVICES

300140

HP Fax Series 900
Plain Paper Fax/Copier

Fax History Report for
PICKERING INSURANCE
7607589926
Mar 17 2000 4:02pm

Last Fax

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Identification</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
Mar 17	4:02pm	Sent	19494776505	0:45	2	OK

Result:

OK - black and white fax

300141

Subject: THE LASSEN COMPANIES, INC.

Date: Wed, 23 Jun 1999 15:34:41 -0700

From: "P.Jones" <polly@pickeringinsurance.com>

To: blair.hives@gwl.com

CC: joy.deutsch@gwl.com, joey.bautista@gwl.com

BLAIR:

I JUST FAXED OVER TO YOU THE PREMIUM STATEMENTS FOR THE MONTHS OF JANUARY, FEBRUARY, MARCH AND APRIL FOR THE ABOVE REFERENCED CLIENT. THE CLIENT IS OVERNIGHTING, TO YOUR ATTENTION, THE PREMIUM CHECK. PLEASE APPLY THE DEPOSIT YOU HAVE IN HOUSE TO THE PREMIUMS OWED. TOGETHER, THE DEPOSIT YOU HAVE AND THE ADDITIONAL CHECK BEING OVERNIGHTED, SHOULD COVER THE PREMIUMS.

PLEASE EMAIL ME WHEN YOU RECEIVE MY FAX AND THE CHECK.

ALSO, PLEASE ADVISE ME WHEN THE CLAIM HOLD WILL BE LIFTED.

THANKYOU IN ADVANCE, FOR YOUR PROMPT ATTENTION TO THIS MATTER.

POLLY JONES

10522

Exhibit

J



PICKERING INSURANCE SERVICES

1011 S. Santa Fe Ave.
Suite K
Vista, CA 92083-6999North County
(760) 758-9800
Fax (760) 758-9926
1-800-858-1207

FAX COVER SHEET

To Pen KristalCompany Name LassenFax Number (949) 477-6505From Polly

Description

Following is the information
Regarding the May claim transfer
this will occur on
June 9th, Call with questions.
Thanks, Polly

Number of pages (including cover) 3Date 3 June 99

If there are any problems receiving this transmission please call:

10679

[Main](#)[Back](#)[Plan](#)[Banking Selection](#)[Help](#)[Exit](#)

Transfer Check Detail Report

Plan Number : 357312	Division(s): ALL
Date From : 5/1/99	Run Date: 6/2/99 7:29:07 PM
Date To : 5/31/99	For Transfer Due on: 6/9/99

<u>Division</u>		
001	22 check(s) for division 001 totaling -	\$5,381.63
002	71 check(s) for division 002 totaling -	\$6,687.14
003	16 check(s) for division 003 totaling -	\$3,902.40
004	4 check(s) for division 004 totaling -	\$553.45
602	62 check(s) for division 602 totaling -	\$4,891.98
603	2 check(s) for division 603 totaling -	\$1,128.06
604	18 check(s) for division 604 totaling -	\$21,727.60
605	1 check(s) for division 605 totaling -	\$2,517.84
-----	196 check(s) for all divisions totaling -	<u>\$46,790.10</u>

[Return To Top](#)[Back To Options](#)[Banking Selection](#)

10680

[Main](#)[Back](#)[Plan](#)[Help](#)[Exit](#)

Banking Information

Plan Number : 357312 Frequency : MONTHLY Delay : 1 WEEK DELAY	Available Checks : From - 4/27/99 To - 6/1/99	Upcoming or Recent Transfers : Date - 6/9/99 Amount - \$46,790.10 Date - 5/11/99 Amount - \$24,175.08
Plan number: 357312 Select a report: Cash Flow Summary ▼		View Download

10681

TRANSMISSION VERIFICATION REPORT

TIME : 06/03/1999 08:38
NAME : PICKERING INSURANCE
FAX : 760-758-1060
TEL : 760-758-9800

DATE, TIME	06/03 08:37
FAX NO./NAME	19494776505
DURATION	00:01:14
PAGE(S)	03
RESULT	OK
MODE	STANDARD
	ECM

10681A

Sub K

Subject: Re: Lassen Claims Issues

Date: Tue, 29 Feb 2000 13:10:58 -0800

From: "P.Jones" <polly@pickeringinsurance.com>

To: "Cueva, Roxanne" <roxanne.cueva@gwl.com>

I APOLOGIZE, ROXANNE - I CALLED BERT AT HO ON THURSDAY OF LAST WEEK AND EXPLAINED THAT IT APPEARS THE PREMIUMS WERE NOT WIRED TO GWL. THEREFORE, SHE AND I DETERMINED THAT THE ADMINISTRATIVE HOLD IS APPROPRIATE - THEREFORE, LASSEN IS ON ADM HOLD.

LASSEN IS RENEWING W/GWL AND IS AWARE OF BOTH THE OUTSTANDING PREMIUMS DUE AND THE NSF JANUARY CLAIM TAP. HE HAS NOT COMMITTED TO US, WHEN BOTH WILL BE FUNDED, BUT I DO BELIEVE AND HOPE, SOMETIME NEXT WEEK. THE LASSEN CEO (OUR CONTACT) IS OUT OF THE OFFICE TILL THURSDAY THIS WEEK. WE WILL CONTACT HIM ON THURSDAY TO TRY TO DETERMINE WHEN BOTH ISSUES WILL BE RESOLVED.

I WILL ADVISE YOU AT THAT TIME - AGAIN, I AM SORRY FOR NOT UPDATING YOU ON MY CONVERSATION WITH BERT.

IF YOU HAVE ANY QUESTIONS, JUST CONTACT ME, EITHER BY PHONE OR EMAIL.

THANKS AND I WILL BE IN TOUCH SOON!

"Cueva, Roxanne" wrote:

> Good Morning Polly,

>

> I hate to have to bother you with this again, but our home office keeps asking me for a status on the 2 outstanding claims issues for Lassen. Have you had an opportunity to obtain any new information for us?

>

> The two outstanding issues are;

> 1. The NSF for \$67,628.37

> 2. The Wire Transfers for Premium for months of Oct - Jan.

> (Can't locate them if they were sent so we would like Lassen

> to provide dates, dollar amounts and confirmations numbers, if available, to trace the money.

>

> Thanks for all your help Polly. We appreciate it!

> Roxanne

300136

07/17/2000 1:14 PM

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DENNIS ALLEN, et al.,

Plaintiffs,

vs.

LEONARD D. KRISTAL, JOHN CRARY,

et al.,

Defendants.

)
)
)
)
)
) NO. C-1-01-159
)
) S.D. Of Ohio
)
) VOLUME I
)
) PAGES 1 TO 153
)
)

Deposition of POLLY JONES, taken at
401 B Street, Suite 1700, San Diego,
California, commencing at 9:35 A.M.,
Wednesday, January 22, 2003, before
Jeanne M. Garlow, CSR No. 3456.

1 BY MR. COOK:

2 Q. During the period of time that we're
3 describing now, December of '99, January of 2000,
4 February of 2000, did you have any personal
5 communication with John Crary concerning the status of
6 payments and the status of the insurance and health plan
7 coverages?

8 A. Give me those dates again.

9 Q. January of '99 -- excuse me. December of '99,
10 January, February of 2000.

11 A. I do not personally recall having a
12 conversation with Mr. Crary in regards to the premium
13 payments. Again, I can't answer for Randy Pickering.

14 Q. In the period that I just described?

15 A. That's correct.

16 Q. This is a one page e-mail printed out, Bates
17 stamped 300134. Describe this, please.

18 A. Roxanne Cueva starts the e-mail at the
19 bottom --

20 Q. By the way, it's dated 18 February.

21 A. -- stating that the claim tap of 67,000 went
22 NSF, was not honored. And then regarding the wire
23 transfers, she's surprised to find out that none of the
24 fixed costs have been paid since October, even though
25 Lenn would continuously tell us he had wired those fixed

1 STATE OF CALIFORNIA) ss:
2 COUNTY OF SAN DIEGO)
3

4 I do hereby certify:

5 That the foregoing deposition was taken before me at
6 the time and place therein set forth, at which time the
7 witness was put under oath by me;

8 That the testimony of the witness and all objections
9 made at the time of the examination were recorded
10 stenographically by me, were thereafter transcribed
11 under my direction and supervision and that the
12 foregoing is a true record of same.

13 I further certify that I am neither counsel for nor
14 related to any party to said action, nor in anywise
15 interested in the outcome thereof.

16 IN WITNESS WHEREOF, I have subscribed my name
17 this 4th day of February, 2003
18
19
20

21 
22 JEANNE M. GARLOW C.S.R. NO. 3456
23
24
25

Exhibit 7 m

Lassen #357312 - premium pymts

From: "Bautista, Joey" <joey.bautista@gwl.com>

Subject: Lassen #357312 - premium pymts

To: "Randy G Pickering" <pickins@pickeringinsurance.com>

Polly,

Just received a message from head office, to let you know that they will no longer be able to offer extensions on premium payment due dates. As a result claims will be placed on hold.

If you have any question, please feel free to contact me.

Thank you,

Joey Bautista

Great-West Life

San Diego Group Sales Office

(800)552-3909 x104

joey.bautista@gwl.com

Joey Bautista

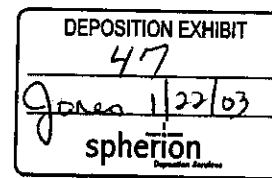
Great-West Life

San Diego Group Sales Office

(800)552-3909 x104

joey.bautista@gwl.com

300098



100 ext

2/17/00 9:36 AM

2 May 2000

Len Kristal
THE LASSEN COMPANIES, INC.
3345 Michelson Drive
Suite #250
Irvine, Ca 92612

Dear Len:

Enclosed please find the GWL premium (fixed costs) statement for May 2000. I have also enclosed a summary of the monies owed, to date.

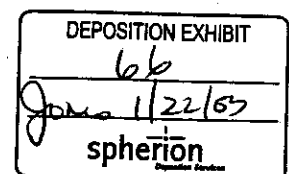
Should you have any questions, please give me a call. My staff and I are at your service!

Best regards,

Randy Pickering
Employee Benefit Broker

RGP:pj
Cc: James Thelen - THE LASSEN COMPANIES, INC.

300144



MEMORANDUM

TO: RANDY PICKERING

FROM: POLLY JONES

DATE: 2 MAY 2000

SUBJECT: THE LASSEN COMPANIES, INC.

Randy:

Following is a summary of the outstanding monies owed by our above referenced client:

PREMIUMS(FIXED COSTS):

Oct. 99	\$13,383.33
Nov. 99	\$12,654.58
Dec. 99	\$13,101.46
Jan. 00	\$13,646.63
Feb. 00	\$14,819.58
Mar. 00	\$14,577.11
Apr. 00	\$14,277.78
May 00	\$13,123.90

\$109,584.37 122,382.12

June 12,797.75

TOTAL \$232,558.17

thru June FIXED/May down 250,353.12

Should you have any questions, please contact me.

Polly Jones

CLAIMS:

N/A

N/A

N/A

\$67,628.37

\$29,985.53

\$16,394.00

\$ 8,965.90

\$ N/A

\$122,973.80

6997.20
129,971.00

Lassen DEB

300145

Exhibit 0

Great-West

LIFE & ANNUITY INSURANCE COMPANY

8515 East Orchard Road

Englewood, CO 80111 Tel. (303) 737-3000

Address mail to: P.O. Box 1700, Denver, CO 80201

www.gwla.com

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

August 4, 2000

Polly Jones
Plan Administrator
Lassen Companies, Inc.
1011 S. Santa Fe Avenue
Suite K
Vista, CA 92083

FILE COPY

Re: Lassen Companies, Inc.
Contract No. 357312
Matter No. 0201595
Outstanding Amount Due: \$201,280.61

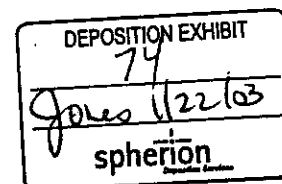
Dear Ms. Jones:

Great-West Life & Annuity Insurance Company ("GWL") has previously informed you that Lassen Companies, Inc. ("Lassen") failed to pay the amounts owed under the above-referenced contract. That failure constituted a breach of the contract and necessitated the automatic termination of the contractual relationship on or about February 9, 2000. As a result, GWL ceased all performance under the contract and, consistent with the contract's termination provisions, will neither process nor pay any future claims on behalf of Lassen regardless of incurral dates.

At this time, a balance of \$201,280.61 remains outstanding. This \$201,280.61 includes:

- issued benefit payments for January 2000 in the amount of \$67,628.37;
- issued benefit payments for February 2000 in the amount of \$29,985.53;
- issued benefit payments for March 2000 in the amount of \$10,861.40;
- deficit recovery in the amount of \$5,532.60 for issued benefit payments for February 2000;
- issued benefit payments for April 2000 in the amount of \$8,948.38;
- issued benefit payments for May 2000 in the amount of \$6,997.20;
- issued benefit payments for June 2000 in the amount of \$4,771.25;
- unpaid premium for October 1999 in the amount of \$13,383.33;
- unpaid premium for November 1999 in the amount of \$12,654.58;
- unpaid premium for December 1999 in the amount of \$13,101.46;
- unpaid premium for January 2000 in the amount of \$13,680.85;
- and unpaid terminal administration fees due in the amount of \$13,735.66.

200028



August 4, 2000

Page 2

Enclosed are copies of the relevant documentation evidencing the amount owed. GWL considers this amount substantial enough to require the involvement of the GWL Law Department.

I encourage you to carefully consider your options at this point. As has been discussed in previous correspondence, the contract expressly sets forth a duty on your part to pay the amounts which remain outstanding. Litigation will almost certainly result in a judgment in GWL's favor for the full amount due. In addition, Lassen will likely be liable for other significant costs, including interest accrued from the date of the contract breach as well as its own attorney's fees.

To avoid this result, I suggest that you take the time to review the contract and other related documentation. If you are aware of any additional information that would alter the amount owed, please bring it to my attention by forwarding the supporting documentation to me immediately. Consulting with your broker or with an attorney might also prove useful at this point to help you evaluate the potential risks that you face in further delaying resolution of this matter.

GWL desires to reach an amicable resolution. However, if GWL does not receive your payment in certified funds sent to my attention and made payable to "Great-West Life & Annuity Insurance Company" within fifteen (15) days from the date of this letter, I will proceed with appropriate legal action. I hope that this fifteen-day period will allow a constructive effort to avoid such action. If you have any questions during this time regarding your outstanding balance or your contractual obligations, please contact John Morton, Senior Paralegal, at (303) 737-5095.

Your attention to this matter will be appreciated.

Very truly yours,


Kelly S. Noble
Attorney

Enclosures

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200029